

REMARKS/ARGUMENTS

Claims 1-17 are pending in this application. Of these pending claims, Claims 1-17 stand rejected. By way of this paper, Claims 1-7, 9, 11-13, and 16 have been amended; Claim 10 has been cancelled. Claim 1 has been amended to better clarify the present invention in view of the prior art of record. The remaining claims have been amended for antecedent agreement purposes and for clarification only.

The foregoing amendments and following remarks are believed to be fully responsive to the outstanding office action, and are believed to place the application in condition for allowance.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 1-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hansson et al., U.S. Patent No. 6,023,620, in view of Matsunami U.S. Patent No. 6,775,830, and further in view of Sun, U.S. Patent No. 6,101,505. Applicants respectfully request reconsideration in view of the foregoing amendments and the following remarks.

Applicants respectfully submit that Hansson in view of Matsunami, and further in view of Sun, do not disclose, teach, or suggest the process as claimed in the present application. Applicants therefore respectfully request that the Examiner reconsiders and withdraws the rejection of the claims under 35 U.S.C. 103(a).

As already explained in detail in the response to the Office communication mailed on October 5, 2009, and mentioned again in the response to the Final Office communication mailed on March 31, 2010, Hansson does not disclose or suggest in particular, as recited in claim 1 of the present application, to automatically delete the old software of Hansson following its execution on the terminal, and as acknowledged by the Examiner at page 3 of the last Office Action.

Matsunami discloses, in a computer system, a method for efficiently installing a program in a plurality of computers, in order to reduce the operating cost for the maintenance and the management of the system (see, in Matsunami: column 2, lines 15-18). Matsunami does not address the

problem of a device, such as a terminal, having a reduced memory capacity. Therefore, Matsunami does not contemplate or incite that only one application program should be stored at the same time into the terminal to avoid blocking a memory in the terminal. Matsunami teaches only that the installer program and install files are deleted, not the installed programs themselves.

The process defined in amended claim 1 of the present application solves the problem, unrecognized in Hansson or Matsunami, of deleting overloaded and memory consuming executable application programs that reduce memory space of a terminal. The claimed solution to this problem is to have a single application stored and activated on the terminal which is then automatically destroyed when deactivated after its use (see, in the present application: page 8, lines 14-16). Matsunami teaches that an install agent 132 can start an installer program on each one of a plurality of computers and that each computer, upon receipt of the install agent, stores it in a logical unit 13. Matsunami teaches that the programs distributed to the computer 2 can be stored in the local logical unit of each computer 2 (see, in Matsunami: column 8, lines 22-25). Matsunami also teaches that the install agent 132 can be implemented as a program resident in the computer 2 (see, in Matsunami: column 9, lines 21-22). These teachings do not incite the skilled person to arrive at the process defined in amended claim 1 of the present application, wherein only one application program is stored at the same time as the programming agent into the terminal, and wherein the programming agent and the application program, after deactivation following its use, is automatically deleted. The information of column 11, lines 29-32, in Matsunami, teaching that an illegal or erroneous install work can be prevented by deleting the installer program and the install files from the shared logical unit does not mean that any install agent 32 is automatically destroyed after its deactivation in any case, since it only concerns the illegal or erroneous install works. Therefore, this teaching is not relevant to arrive at the claimed solution, since this deletion only concerns the case of an illegal or erroneous install work.

Sun discloses a method of automatically upgrading to the most recent version a file installed in a portable information terminal in which memory is restricted (see, in Sun: column 1, lines 57-61). Sun's method

compares a memory size of files to be added, amended or deleted in the terminal with a size of memory available into the terminal. The files installed in the portable terminal are changed in three cases. First, new files are installed in the terminal. In this case, the total size of the files must be smaller than the memory available in the terminal. Second, there are files to be amended among the files installed in the terminal. In this case, the total size of the files to be amended must be smaller than the size obtained by adding the memory size of the existing files to the size of the memory available in the terminal. Third, when the files installed in the portable terminal are no longer necessary, the files are deleted in order to provide more available memory in the terminal. Thus, Sun refers only to add, to amend or to delete files from a portable terminal in which memory is restricted. In Sun, the files are not automatically deleted, since only some files which are no longer necessary are deleted (see, in Sun: column 2, line 62 to column 3, line 8). However, these files cannot be equated or compared with a single-use application program as presently recited in claim 1 (i.e., the programming agent, which is comprised of encoded data that constitute a multimedia application, which is stored alone into the terminal and which is used, on the terminal, to produce, for example, an imaging work such as a postcard, and which, when deactivated from said terminal is automatically deleted. In Sun, the fact that a file delete list has to be transmitted to the terminal before to delete some corresponding files would rather deter the skilled person to automatically destroy each file after its display or reading on the terminal. Moreover, Sun teaches that several files are generally stored into the terminal. Thereby, Sun does not contemplate or incite that an executable application program is stored into the terminal and then deleted.

Therefore, Sun teaches a terminal in which the memory is restricted. However, Sun does not teach additional information to store one programming agent at the same time into the terminal, and to automatically destroy the programming agent and its application program, following its use, from the terminal. Thereby, it would not have been obvious to one having


ordinary skill in the computer art at the time the invention was made, to modify the process disclosed by Hansson in view of Matsunami, and further in view of Sun, to obtain without inventiveness the process of the claimed invention.

In view thereof, it follows that the subject matter of claim 1 would not have been obvious from Hansson in view of Matsunami, and further in view of Sun at the time the invention was made. Claims 2-17 depend upon claim 1, and are distinguishable from Hansson in view of Matsunami, and further in view of Sun for at least these same reasons.

In view of the foregoing remarks and amendment, the claims should now be deemed allowable and such favorable action is courteously solicited.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

Respectfully submitted,


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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.